

COUNTY COUNCIL

Jay Furfaro, Chair
Nadine K. Nakamura, Vice Chair
Tim Bynum
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Mel Rapozo
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OFFICE OF THE COUNTY CLERK

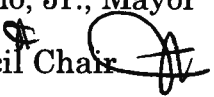
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MEMORANDUM

October 11, 2013

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Jay Furfaro, Council Chair 
RE: **OCTOBER 9, 2013 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its October 9, 2013 Council Meeting:

CONSENT CALENDAR:

C 2013-332 Communication (09/04/2013) from the County Engineer, transmitting for Council consideration, amendments to the Fiscal Year 2013-2014 Capital Improvements Budget, by Revising the Amounts Estimated in the Bond Fund and Sewer Trust Fund. (*Islandwide SCADA System - \$371,213.00 (Bond Fund), \$365,029.00 (Sewer Trust Fund)*) (*Received for the Record.*)

C 2013-333 Communication (09/04/2013) from the County Engineer, transmitting for Council consideration, amendments to the Fiscal Year 2013-2014 Capital Improvements Budget, by Revising the Amounts Estimated in the Bond Fund. (*Waimea R-1 Water Distribution System Improvements - \$209,450.00*) (*Received for the Record.*)

COMMUNICATIONS:

C 2013-334 Communication (09/19/2013) from the Salary Commission, transmitting for Council information, the Salary Commission's Resolution No. 2013-01, Relating to the Salaries of Certain Officers and Employees of the County of Kaua'i. (*Deferred.*)

C 2013-335 Communication (09/06/2013) from the County Engineer, requesting Council approval of the following:

- Apply for, receive, and expend Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program funds in the amount of \$26,500, which is 75% of the total project cost of \$36,000, for the development of new wind amendments for the adoption of the 2012 International Building Code (IBC) for the statewide consistency with the design requirements of the 2012 IBC;

- Accept the remaining in-kind contributions in the amount of \$9,500 (25% match) from the County of Kaua'i, the Structural Engineers Association of Hawai'i, the American Institute of Architects, and participants of the State Building Code Council. *(Approved.)*

C 2013-336 Communication (09/17/2013) from Councilmember Rapozo, requesting Council nominations to the Hawai'i Employer-Union Health Benefits Trust Fund (EUTF) Task Force, pursuant to Section 2 of Act 268, Session Laws of Hawai'i 2013. *(Approved the nomination of Councilmember Mike White, Maui County Council.)*

C 2013-337 Communication (09/18/2013) from the Fire Chief, requesting Council approval to accept a donation of a 2008 Shopbuilt jet ski trailer valued at \$1,500 from the Kaua'i Lifeguard Association (KLA) to be used by the Kaua'i Fire Department's (KFD) Ocean Safety Bureau. *(Approved with thank-you letter to follow.)*

C 2013-338 Communication (09/18/2013) from the Executive on Transportation, requesting Council approval to receive, indemnify, and expend the Federal Fiscal Year 2013 Federal Transit Administration (FTA) Section 5339 Annual Apportionment provided to the County of Kaua'i in the amount of \$400,000 to improve transit operation safety and efficiency through the purchase of a Computer-Aided Dispatch and Automatic Vehicle Locator system for the fleet, additional base yard space procurement and improvements, and maintenance equipment for the transit repair shop, bus stops, and base yard facility. *(Approved.)*

EDR 2013-06 Communication (09/17/2013) from Mel Rapozo, Hawai'i State Association of Counties (HSAC) President, transmitting for Council consideration the following proposals to be included in the 2014 HSAC Legislative Package:

1. A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS (County of Maui)
2. A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR – H.B. 203 (County of Maui)
3. A BILL FOR AN ACT RELATING TO TRANSPORTATION (County of Maui)
4. A BILL FOR AN ACT RELATING TO LIABILITY (County of Kaua'i)
5. A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX (County of Hawai'i)
6. A BILL FOR AN ACT RELATING TO EDUCATION (County of Hawai'i)
7. A BILL FOR AN ACT RELATING TO HEALTH (County of Hawai'i)
8. A BILL FOR AN ACT RELATING TO VIDEOCONFERENCING – H.B. 358, H.D. 1, S.D. 1 (County of Hawai'i)
9. A BILL FOR AN ACT RELATING TO MOPEDS (City & County of Honolulu)

10. A RESOLUTION/CONCURRENT RESOLUTION URGING THE U.S. DEPARTMENT OF STATE, THE DEPARTMENT OF HOMELAND SECURITY AND THE UNITED STATES ATTORNEY GENERAL TO EASE VISA RESTRICTIONS FOR THE PEOPLE'S REPUBLIC OF CHINA (City & County of Honolulu)
11. A BILL FOR AN ACT RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND BOARD OF TRUSTEES (City & County of Honolulu)
12. A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM (City & County of Honolulu)
13. A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE TAX (City & County of Honolulu) *(The Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee recommended approval for items 1-5; motion to approve failed for item 6; recommended approval for items 7-8; motion to approve tied for item 9; recommended approval for item 10; motion to approve failed for item 11; recommended approval for items 12-14 on October 2, 2013.) (Approved as recommended by the Committee except items 2, 5, and 9; Approved item 2; Received item 5 for the record.)*

EDR 2013-07 Communication (09/19/2013) from Council Chair Furfaro, transmitting for Council consideration, a proposed Bill for an Act Making an Appropriation for the Regulation of Restricted Use Pesticides, for inclusion in the 2014 Kaua'i County Legislative Package. *(The Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee recommended approval on October 2, 2013.) (Approved.)*

EDR 2013-08 Communication (09/25/2013) from the Mayor, transmitting for Council consideration, a proposed Bill for an Act Relating to Capital Improvement Projects for the Benefit of the Eighth Senatorial District, relating to the construction of sheltered Bus Stops and improvements to the Veterans Cemetery, for inclusion in the 2014 Kaua'i County Legislative Package. *(The Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee recommended approval on October 2, 2013.) (Approved.)*

LEGAL DOCUMENT:

C 2013-339 Communication (09/06/2013) from the County Engineer, recommending Council approval of the Set-Aside to the County of Kaua'i for Public Park and Ancillary Purposes, Issuance of an Immediate Construction and Management Right-of-Entry pursuant to letter dated June 17, 2013, by the State of Hawai'i Department of Land and Natural Resources to the County of Kaua'i and to provide indemnification to the State of Hawai'i, Department of Land and Natural Resources for repair, reconstruction, and maintenance of the existing Moanakai Road Seawall, [por. Kapa'a Town Lots, 2nd Series, Kapa'a, Kawaihau, Kaua'i, TMK: (4) 4-5-002:023]. *(Approved.)*

CLAIMS:

C 2013-340 Communication (09/18/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Thursday Hui Inc., for damages to their equipment, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2013-341 Communication (09/24/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Enterprise Holdings, for damages to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Amended to delete reference to subrogee; Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2013-342 Communication (09/26/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Haidee A. Sueyasu, for unlawful detention and violation of rights, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2013-55, Draft 1 – RESOLUTION ESTABLISHING A COUNCIL INVESTIGATING COMMITTEE TO INVESTIGATE THE MANAGEMENT AND IMPLEMENTATION OF THE TRANSIENT VACATION RENTAL AND FLOOD/BUILDING PERMIT ORDINANCES WITHIN THE COUNTY OF KAUA'I ***(Deferred.)***

Resolution No. 2013-67, Draft 1 – RESOLUTION AMENDING RESOLUTION NO. 2013-02 RELATING TO THE RULES OF THE COUNCIL OF THE COUNTY OF KAUA'I FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS ***(Approved.)***

Resolution No. 2013-68 – RESOLUTION ESTABLISHING "AUTHORIZED PARKING ONLY – TOW AWAY ZONE" (NO-PARKING ZONE) AT BOTH PARKING LOTS ADJACENT TO THE COUNTY OF KAUA'I POLICE DEPARTMENT BUILDING AND EMERGENCY OPERATIONS CENTER BUILDING, LIHU'E DISTRICT, COUNTY OF KAUA'I ***(Approved.)***

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2503) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND SEWER TRUST FUND ***(Islandwide SCADA System - \$371,213.00 (Bond Fund), \$365,029.00 (Sewer Trust Fund)) (Approved on 1st reading, Public Hearing scheduled for 11/06/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)***

Council Meeting Follow-up Memo to the Mayor

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Proposed Draft Bill (No. 2504) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND (*Waimea R-1 Water Distribution System Improvements - \$209,450.00*) (*Approved on 1st reading, Public Hearing scheduled for 11/06/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.*)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: Council

Via E-mail: KCT Department Heads
KCT CCs
Staff